



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/967,221

09/28/2001

James Morrow

83336.0519

7155

66880 7590 11/15/2010

STEPTOE & JOHNSON, LLP
2121 AVENUE OF THE STARS
SUITE 2800
LOS ANGELES, CA 90067

EXAMINER

THOMAS, ERIC M

ART UNIT

PAPER NUMBER

3714

NOTIFICATION DATE

DELIVERY MODE

11/15/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

emiyake@steptoe.com
mhein@ballytech.com
ccipdocketing@steptoe.com

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 09/967,221 | Applicant(s) MORROW ET AL. | |
| | Examiner Eric M. Thomas | Art Unit 3714 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-135 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-135 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the arguments filed on 5/17/10, PROSECUTION IS HEREBY REOPENED. As set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) File a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 - 138 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven et al. (US 5,429,361) in view of Paulsen (U.S. 2002/0193099).

Art Unit: 3714

Regarding Claims 1, 16 - 18, 26, 41-44, 68-69, 83-84, 100-102, 114, 118, and 135-138, Raven et al. discloses a gaming machine information, communication, and display system for automating maintenance, accounting, security, player tracking, event recording, player interaction, and other functions for a plurality of gaming machines. The system has a display and data entry means for a player or employee to interact with the system. Furthermore, in addition to gaming functions, the system downloads data from the central data processor to each individual gaming machine. Raven et al. lacks explicitly disclosing; integrating the systems interface display system into the gaming platform screen used to display the gaming information. Raven et al. discloses one way a player or employee interacts with the system is by pressing buttons on a keypad, whereas, in the instant invention, a touch-screen input is utilized to interface with the system. Interaction with a gaming system, whether by keypad input or touch-screen, provides the same function to the overall system. Raven is silent on the issue of the system including a touch screen and displaying non-gaming system information wherein an interface allows a player to input requests into the system network. In a related art, however, Paulsen discloses a personal gaming device, (abstract), wherein the device is adapted to present a game to player, (par. 0005), wherein the display screen of the gaming device includes touch screen input, (par. 0021), wherein a player or user of the gaming device may utilize the device to access a wide variety of information and services, wherein the player may make room or restaurant reservations and obtain hotel/casino information (par. 0074). The examiner views this as a systems interface that incorporated into the display

Art Unit: 3714

screen of the gaming platform, wherein the systems interface displays non-gaming system information from a system network through the gaming machine to a casino player or employee, wherein the system interface may be operable to produce system request capabilities. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the teachings of Paulsen into the art disclosed by Raven in order to provide a transaction system utilizing touch-screen technology into the wagering game, which is attractive to game players and casino personnel and requires less maintenance than mechanical push buttons.

Regarding claims 2, 19, 45, 86, 103 – 105, 115, 117, 121, and 122, Raven provides a gaming system wherein the player inserts a card into a card of the gaming machine wherein the gaming will prompt the player by means on the display to enter his/her pin number via a keypad, (col. 10, lines 47 - 53). The examiner views this as an identification card that may have embedded information, wherein once the player inserts the card into the gaming machine it activates the systems interface on the display screen.

Regarding claims 3 – 5, 22 – 24, 34 – 37, 46, and 48 – 50, 61, 63, 64, 72, 73, 94, 96, 97, 118, and 120, Raven provides a gaming system that discloses a control unit that includes a card reader and employee/player communications are desired (col. 2, lines 29 - 36). This is viewed by the examiner as the gaming system having an interface system that includes player and employee services that is accessible by an identification card inserted into the gaming device, wherein the employee may use to

Art Unit: 3714

access the MASTERCOM control unit of the gaming system that may include game information, game monitoring, and account meters.

Regarding Claims 6, 38, 65, 74, and 98, to one having ordinary skill in the art at the time of applicant's invention, utilizing a Y adapter to allow communication to a plurality of devices was well known. It would have been obvious to one having ordinary skill in the art at the time of applicant's invention to utilize a Y adapter that allows communication between the display screen and both the at least one processor and the additional processor. One would be motivated to utilize a Y adapter to allow communication between the display and one of the processors because a Y adapter provides a simple solution to switching communication from one processor to the other, thereby, allowing the system to eliminate at least one redundant connection between the display and one of the processors.

Regarding Claims 7, 39, 66, 75, and 99, to one having ordinary skill in the art at the time of applicant's invention, calibration software and hardware for a computer display were notoriously well known in the art.

Regarding Claims 8, 18, 44, 76, 85, 106, 116, Raven discloses a gaming machine information, communication, and display system for automating maintenance, accounting, security, player tracking, event recording, player interaction, and other functions for a plurality of gaming machines, but Raven is silent on the issue of gaming interface that allows a player to view and participate in the wagering through the display screen and whether the gaming machine produces enhanced graphics and animation display for interactions with the system network. As

Art Unit: 3714

stated above, however, Paulsen discloses a personal gaming device, (abstract), wherein the device is adapted to present a game to player, (par. 0005), wherein the display screen of the gaming device includes touch screen input, (par. 0021), wherein a player or user of the gaming device may utilize the device to access a wide variety of information and services, wherein the player may make room or restaurant reservations and obtain hotel/casino information (par. 0074). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the teachings of Paulsen into the art disclosed by Raven in order to provide a transaction system utilizing touch-screen technology into the wagering game, which is attractive to game players and casino personnel and requires less maintenance than mechanical push buttons.

Regarding claims 9, 25, 32, 33, 51 – 53, 59, 60, 93, 107, 123, 124, 131, and 132, Raven provides a gaming system that includes a control unit called MASTERCOM, a DMK unit, and a main computer, wherein these elements are the primary hardware elements of the gaming system, wherein the term MASTERCOM is derived from its functions: Maintenance, Accounting, Security, player Tracking, Event Recorder, and Communicator, wherein the DMK unit is the interface and communications device between a player or employee and the MASTERCOM, wherein both of these elements are controlled by a processor, wherein the system also includes an EEPROM that is used for storing accounting meters, wherein the information stored may be a list of parameters containing addresses, coin denomination, limits and other characteristics that vary from one gaming machine and/or casino to another (col. 2,

Art Unit: 3714

line 29 —col. 3, line 20). This is viewed by the examiner as the gaming system utilizing a multiple processor platform, wherein at least one processor supports the hardware applications, wherein at least one processor runs game controlling peripherals, game logic, and rules necessary to generate a wagering game on the display of the gaming device, and at least one processor that provides access to system information on a system network via the systems interface.

Regarding claims 10 – 15, 21, 27 – 31, 39, 47, 54 – 58, 71, 76 - 82, 85, 87 - 92, 106, 108 – 113, 116, 119, 125 – 130, Raven provides a gaming system that includes a display and input system, but is silent on the issue of the gaming including a touch screen. As stated above, however, Paulsen discloses a personal gaming device, (abstract), wherein the device is adapted to present a game to player, (par. 0005), wherein the display screen of the gaming device includes touch screen input, (par. 0021), wherein a player or user of the gaming device may utilize the device to access a wide variety of information and services, wherein the player may make room or restaurant reservations and obtain hotel/casino information (par. 0074). The examiner views the touch screen of Paulsen as being capable of having a small region that is selectable by a user that may show messages to the user once the user touches the screen to select one of the goods and services. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to combine the teachings of Paulsen into the art disclosed by Raven in order to provide a transaction system utilizing touch-screen technology into the wagering game, which is attractive to

Art Unit: 3714

game players and casino personnel and requires less maintenance than mechanical push buttons.

Regarding Claims 40, 67, and 134, to one having ordinary skill in the art at the time of applicant's invention, it would have been obvious that integrating the systems interface via the display screen would lower overall system costs due to hardware elimination and reduce maintenance costs due to fewer hardware parts. Reducing overall costs by eliminating hardware and reducing maintenance costs are a byproduct of modernizing an existing system to the present state of technology.

Regarding claims 62, 95, and 133, Raven provides a gaming system that may include a network interface card (col. 2, lines 44 - 46).

Response to Arguments

2. Applicant's arguments with respect to claims 1 - 138 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Thomas whose telephone number is (571) 272-1699. The examiner can normally be reached on 7a.m. - 3p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric M. Thomas/
Examiner, Art Unit 3714

/David L Lewis/
Supervisory Patent Examiner, Art Unit 3714